

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

To: Chief Procurement Officer

From: Department of Public Safety

Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):
 Mobile Dental Services for the Island of Hawaii. General dentistry services for the Hawaii Community Correctional Center and the Kulani Correctional Facility.

Provider Name: Russell H. Masunaga, DDS, LLC, dba Ohana Dental Center	Total Contract Funds: \$200,000.00	Term of Contract:
Provider Address: 2153 North King Street, Ste 322 Honolulu, Hawaii 96819	Contract Funds per Year (as applicable). \$200,000.00/year, ~\$85,000.00 for period requested	From: 11/1/05 To: 2/28/06

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

These services were under contract (51265) pursuant to request for proposals number PSD 03-HCD-27, for an initial contract term of November 1, 2003 up to and including October 31, 2005, with the option to extend for an additional three (3) additional twelve month periods or portions thereof. Due to a misplacement of the Provider's contract extension PSD was not able to fully execute the contract extension prior the expiration date of October 31, 2005.

Although there was no intent to evade the procurement process, PSD recognizes that appropriate planning, and procedure should have been followed for the timely extension of this contract. Unfortunately, this oversight has resulted in the after-the-fact purchase and we are requesting an exemption to cover the period from November 1, 2005 through February 28, 2006 (or sooner) for services already received and the interim until a new procurement can be completed and contract executed.

The following steps have been implemented to help prevent a recurrence of this incident: 1. Purchasing and Contracts will submit weekly updates of items currently outstanding to the Administrative Services Officer. 2. When needed request the assistance of our user agency to help follow up with the Provider(s) or companion agency/facility regarding contract issues. 3. Contracts requiring AG/Dir signature have their own tray for processing to prevent misplacement.

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Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

The current Provider was selected through a 103F RFP process. A new RFP will be issued within the next two weeks and a new contract for these services will be executed.

Evaluation of the proposals shall be by the evaluation committee.

Preparation of contract documents shall be by Purchasing and Contracts Staff and the Health Care Division.

Upon execution by the Provider, the contract is reviewed by the Deputy Attorney General prior to execution by the Interim Director.

A description of the state agency's internal controls and approval requirements for the exempted procurement:
Services for inmates are requested by the facility's Health Care personnel.
Invoices are sent to the Health Care Office for review and approval.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Contract Administration: Wesley Mun, Health Care Administrator

RFP and Contract Preparation: Marc Yamamoto, Purchasing and Contracts

Contract review and approval as to form : Bryan Yee, Deputy Attorney General

Contract execution: Frank J. Lopez, Interim Director

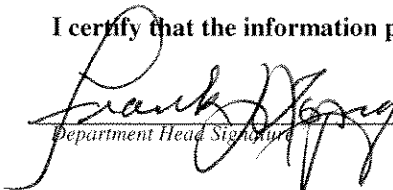
Direct questions to (name & position):
Marc Yamamoto, Purchasing &
Supply Specialist

Phone number:
587-1215

e-mail address:
marc.s.yamamoto@hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☒

I certify that the information provided above is to the best of my knowledge, true and correct.


Department Head Signature

11.28.05
Date

Frank J. Lopez
Typed Name

Interim Director
Position Title

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Chief Procurement Officer's Comments:

Request is approved for after-the fact payment of services already delivered since 11/1/05 and services to be delivered until procurement is completed and a new contract executed or 2/28/06, whichever is sooner. It is the responsibility of each purchasing agency to maintain proper oversight of its contracts. This includes the submission of requests for exemption, when appropriate, in a timely manner.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied


Chief Procurement Officer

12/14/05
Date

cc: Administrator
State Procurement Office